

# Breakdown of Time on a Daily Basis

## HFW Bill No S08220

|                         |  |   |              |
|-------------------------|--|---|--------------|
| Club Ref                | NA   |   |              |
| Our File No             | 00010636 / 00000022                          |   |              |
| Client                  | Sea Consortium Pte Ltd                       |   |              |
| Matter                  | SX Jaami / X-Press Resolve / X-Press Manaslu |   |              |
| <u>Transaction Date</u> | <u>EE Name</u>                               |   | <u>Hours</u> |
| 31/08/2007              | D M Janssen                                  | Discussing and considering claims for further damages and costs with Simon Davidson. Email advice from Rajah & Tann on steps to take against HRC Singapore and Hyundai. Discussing this with Simon Davidson and perusing his email response. Email report and recommendations to SeaCon and RaetsAsia. Emails from Yong Lim Kong and Tristan Howitt and Garnishees and MLOs and perusing Simon Davidson's responses. Email from Kendall Tan of Rajah & Tann with further affidavit by HRC in support of application to stay and set aside garnishee orders. Reviewing affidavit. Preparing schedules of claims for damages and costs. Emails from Jeffrey Lim on anti suit injunction. Discussion this with Simon Davidson and reviewing responses. | 5.8          |
| 31/08/2007              | S S Davidson                                 | Email from Rajah & Tann and discussing final submissions and costs claim in the arbitration with Dirk Janssen. Exchange with Yong.  | 0.5          |
| 03/09/2007              | S S Davidson                                 | Email from SeaCon regarding arrest of Banga Bodor. Reply with queries to Rajah & Tann. Exchanges with SeaCon and calls to Rajah & Tann and SeaCon.  | 1.3          |
| 04/09/2007              | S S Davidson                                 | Dealing with correspondence and further arbitration claims. Calls from Rajah & Tann and to SeaCon.  | 0.8          |
| 05/09/2007              | S S Davidson                                 | Exchanges with Rajah & Tann and SeaCon. Preparing further submissions to the arbitration tribunal seeking a final award.  | 0.9          |
| 06/09/2007              | S S Davidson                                 | Work on submissions in the arbitration. Sorting out claim documentation. Calls to SeaCon. Emails from Rajah & Tann regarding enforcement proceedings. Reporting to clients.   | 3.5          |
| 06/09/2007              | M M Buisset                                  | Redrafting schedule D to the further submissions, incorporating relevant supporting documents, Checking amounts and reporting to SSD  | 3.3          |
| 07/09/2007              | M M Buisset                                  | Studying the various schedules of claim and checking amounts against invoices/ vouchers. Listing Dr Zahir's invoices and finalising schedule D and incorporating latest invoices relative to Chittagong loading operations. Discussing with SSD   | 4.3          |
| 07/09/2007              | M M Buisset                                  | Email to Dr Zahir letting him know what invoices we had and requesting his latest invoice for the 2007 action   | 0.3          |
| 07/09/2007              | S S Davidson                                 | Finalising submissions and schedule. Report to clients. Various exchanges with Rajah & Tann regarding enforcement and report to clients. Call from Dr Zahir.  | 3.0          |

|            |              |   |     |
|------------|--------------|---|-----|
| 10/09/2007 | D M Janssen  | Briefing by Simon Davidson. Perusing fax and email correspondence. Discussing claims and supporting documents with Michael Buisset. Reviewing and amending claims submissions and schedules of costs and expenses with vouchers.  | 4.0 |
| 10/09/2007 | S S Davidson | Discussing position with Dirk Janssen.  | 0.2 |
| 11/09/2007 | S S Davidson | Email from Freehills and reply. Report to clients. Email from Rajah & Tann regarding costs and reply. Report to clients.  | 0.5 |
| 11/09/2007 | D M Janssen  | Perusing email from Mike Unger of Freehill Hogan & Mahar; Discussing and considering matter with Simon Davidson; Reviewing response to Mike Unger and report to SeaCon and RaetsAsia; Revising schedules of further damages and submissions for further arbitration award for costs and damages; Perusing emails from Kendall Tan and Tara Davenport of Rajah & Tann reporting on further garnishee orders and recoveries; Reviewing emails from Jeffrey Lim on claims for costs and expenses; Telcon with and email to Jeffrey Lim with final draft submissions and schedules, seeking evidence and approval for service.  | 6.0 |
| 12/09/2007 | S S Davidson | Email from clients and discussion with Dirk Janssen. Email from Anna Oei and reply.   | 0.4 |
| 12/09/2007 | D M Janssen  | Email from Mike Unger of Freehill's; Email from Jeffrey Lim with further information and supporting documentation for claims, discussing matter with Simon Davidson, revising and finalising submissions and schedules of costs and claims; telcon with and email from Kendall Tan of Rajah & Tann reporting on developments in garnishee proceedings and arrest of Banga Borat by mortgagee bank; Collating bundles of submissions with schedules and supporting documents, serving submissions by email and courier service, email report to SeaCon, email to Rajah & Tann for information of further award applied for; Liaising with office clerk over delivery of submissions to Tan, Oei & Oei who refuse to acknowledge service, email from Anna Oei, discussing response with Simon Davidson and briefing him on her acting for HRC Shipping Ltd in the Singapore proceedings for the enforcement of the first arbitration award, perusing response sent to arbitrator; discussing and considering position on garnishee and arrest proceedings with Toh Kian Sing in teleconference with Simon Davidson. | 5.0 |
| 13/09/2007 | D M Janssen  | Letters from Tan, Oei & Oei and Orr Dignam. Reviewing reasoned judgment on release from arrest of Da Li and report to arbitrator. Discussing and considering matter with Simon Davidson. Email from Jeffrey Lim seeking update on total claims.   | 0.5 |
| 13/09/2007 | S S Davidson | Considering Bangladesh judgment. Report to clients. Further submission to arbitrator.   | 0.7 |
| 14/09/2007 | D M Janssen  | Telcon with Jeffrey Lim and Tara Davenport re arrest of Banga Borat. Email from arbitrator Mark Hamsher with directions for HRC's response to further claims. Emails from Jeffrey Lim seeking up to date figures for claims, interests and costs, collating figures and email responses to Jeffrey Lim. Email to Rajah & Tann.  | 2.8 |
| 17/09/2007 | S S Davidson | Emails from Rajah & Tann. Discussion with Dirk Janssen. Call and email from Orr Dignam.   | 0.4 |

|            |              |   |     |
|------------|--------------|---|-----|
| 17/09/2007 | D M Janssen  | Emails from and telcon with Kendall Tan of Rajah & Tann with HRC Shipping Singapore's application to set aside garnishee order; reviewing affidavit filed in support, discussing and considering matter with Simon Davidson, emails to Rajah & Tann with comments and instructions; Email report to SeaCon and RaetsAsia on arbitrator's directions; researching mortgagee bank re Banga Bodor and drafting message for SeaCon to invite mortgagee to participate in proceedings; telcon with and email from Mr Hafizullah of Orr Dignam re certified judgment and Bangladeshi procedure on filing plaint on same cause of action after rejection, discussing and considering this with Simon Davidson; Email update from Kendall Tan of Rajah & Tann on garnishee and arrest proceedings in Singapore, email response with queries and instructions. | 2.7 |
| 18/09/2007 | S S Davidson | Reviewing emails and discussion with Dirk Janssen.  | 0.2 |
| 18/09/2007 | D M Janssen  | Telcons and email correspondence with Kendall Tan of Rajah & Tann. Reviewing and amending tables of monies attached and recovered. Email report to SeaCon and RaetsAsia. Email for information to Rajah & Tann. Email instructions from Yong Lim Kong of SeaCon and response. Email to SeaCon re inviting mortgagee bank for Banga Bodor to participate in court proceedings and reply from Yong Lim Kong.  | 3.3 |
| 19/09/2007 | S S Davidson | Email from Rajah & Tann with comments on means to obtain information from HRC Singapore. Discussion with Dirk Janssen.  | 0.3 |
| 19/09/2007 | D M Janssen  | Email from Rajah & Tann advising on discovery order against HRC Singapore. Discussing and considering this with Simon Davidson. Email instructions to Rajah & Tann. Telcons with Kendall Tan. Email from Jeffrey Lim with letter to mortgagee bank. Forwarding letter by email to Rajah & Tann. Further telcons and email correspondence with Rajah & Tann and Sea Consortium regarding garnishee against Hanjin and HRC Singapore.   | 2.9 |
| 20/09/2007 | D M Janssen  | Telcons with DHL re courier letter to HRC being rejected. Email from Jeffrey Lim re security guards. Response to Jeffrey Lim and informing Rajah & Tann. Email instructions from Jeffrey Lim for payment over of recoveries from garnishees. Email instructions to Rajah & Tann. Telcons with Kendall Tan. Email from Rajah & Tann and to SeaCon seeking PortNet printouts for berthing enquiries for all of HRC's ships.   | 1.0 |
| 21/09/2007 | S S Davidson | Two emails from SeaCon. Email from Rajah & Tann. Discussion with Dirk Janssen.  | 0.3 |
| 21/09/2007 | D M Janssen  | Emails from Rajah & Tann, reviewing draft affidavit for intervention in arrest proceedings Banga Bodor, email comments in response to Rajah & Tann; telcons with Tara Davenport and Kendall Tan of Rajah & Tann, reviewing draft affidavit for garnishee against OCBC as HRC Singapore's bankers; meeting with Kendall Tan and Toh Kian Sing at Rajah & Tann's offices to finalise affidavits for garnishee and arrest proceedings and discuss strategy for recoveries from further garnishee orders and sales of Banga Borat and Banga Bodor, swearing affidavits; Emails from Jeffrey Lim on further and changed costs for further damages claims.  | 2.7 |
| 24/09/2007 | M M Buisset  | Engaged reading Jeffrey Lim's emails dated 21.09.07 regarding port costs under schedule D. Calculating the difference in claim amount and discussing with Dirk Janssen  | 0.5 |



|            |              |   |     |
|------------|--------------|---|-----|
| 24/09/2007 | S S Davidson | Emails from Rajah & Tann and discussion with Dirk Janssen.  | 0.3 |
| 24/09/2007 | D M Janssen  | Discussing and considering SeaCon's revised claims and further vouchers with Michael Buisset. Emails from Dr Zahir reporting on Bangladeshi proceedings. Telcon with and email from Kendall Tan reporting on adjournment of show cause hearing for second garnishee against Hanjin. Discussing and considering matters with Simon Davidson. Discussing reply affidavit with Kendall Tan. Considering HRC's affidavit. Reviewing exhibits. Emails on French attachments to HFW Paris and Rajah & Tann. Email reponse from Stephanie Schweitzer of HFW Paris. Revising Schedule D of further claims to take into account Jeffrey Lim's emails with the reduced figures for port costs and additional lost expenses. Email revised Schedule to SeaCon for instructions.  | 3.5 |
| 25/09/2007 | S S Davidson | Discussion with Dirk Janssen.   | 0.2 |
| 25/09/2007 | D M Janssen  | Email from and telcon with Kendall Tan on affidavits and apportionment of costs; Email from Jeffrey Lim on revised figures for further claims; Discussing and considering matter with Simon Davidson; Email response to Jeffrey Lim on revised claims; Email from SeaConsortium on payment of recovered funds, email response and instructions to Rajah & Tann; Email to Kendall Tan on reply affidavit and recoverable costs issues; Email reports to SeaCon and RaetsAsia on court proceedings in Bangladesh and Singapore, Email from Kendall Tan, reviewing and amending affidavit in reply in respect of second garnishee of Hanjin, email revised draft to Rajah & Tann with supporting documents; Briefing Simon Davidson; Email to Dr Zahir re outstanding advice on vexatious litigants; telcon with and email from Yip Wei Yen of Rajah & Tann with draft reply affidavit for garnishee proceedings against HRC Singapore, reviewing and amending draft, email with revised draft to Rajah & Tann, email with HRC Singapore affidavit to Mike Unger of Freehill's with instructions for hearing, email from Dr Zahir. | 5.4 |

Total: 72.00

| SUMMARY             |                 |               |             |                     |
|---------------------|-----------------|---------------|-------------|---------------------|
|                     |                 | Hours Charged | Hourly Rate | Total               |
| Partner             | Simon Davidson  | 13.6          | S\$775      | S\$10,540.00        |
| Assistant Solicitor | Dirk Janssen    | 50.0          | S\$600      | S\$30,000.00        |
| Assistant Solicitor | Michael Buisset | 8.4           | S\$400      | S\$ 3,360.00        |
| Total :             |                 |               |             | <u>S\$43,900.00</u> |

HFWSPI107517-1

Sea Consortium Pte Ltd  
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Singapore 089595

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Tel +65 6534 0195  
Fax +65 6534 5864

Attention: Messrs Tim Hartnoll/Tristan Howitt

holmans@hfw.com.sg  
www.hfw.com

**TAX INVOICE**  
**GST REG NO: M9-0005261-C**

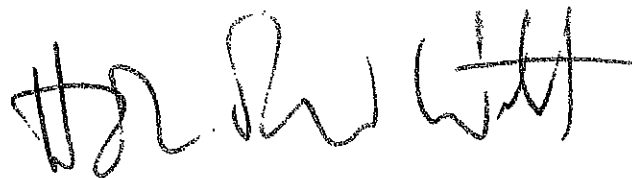
Date: 31 October 2007  
Our Ref: SSD/10656/22/iy  
Bill No.: S08296

**JAAMI**

Period Covered : 27 September to 30 October 2007

To our professional charges for all advice and assistance given in this matter as set out in the attached breakdown of time spent.

|                                   |                             |
|-----------------------------------|-----------------------------|
| Our fees :                        | S\$ 36,195.00               |
| +7% GST                           | S\$ 2,533.65                |
| Disbursements:                    |                             |
| Printing and photocopying charges | S\$ 60.00                   |
| +7% GST                           | <u>S\$ 4.20</u>             |
| <b>Total</b>                      | <b><u>S\$ 38,792.85</u></b> |



**HOLMAN FENWICK & WILLAN**  
HFWSP/111774-1

Direct remittance may be made to The Hong Kong and Shanghai Banking Co. Ltd.  
Collyer Quay Branch, 21 Collyer Quay, Singapore 049320, quoting our bill no.  
GB Pounds A/C 260-258843-181 Swift Code: HSBCSGSG  
Singapore Dollars A/C 141-364083-002 Swift Code: HSBCSGSG  
US Dollars A/C 260-258843-180 Swift Code: HSBCSGSG  
If paying by cheque, please return the attached copy with your payment.  
Please pay net of all bank charges.

# Breakdown of Time on a Daily Basis

## HFW Bill No S08296

**Club Ref** NA  
**Our File No** 00010656 / 00000022  
**Client** Sea Consortium Pte Ltd  
**Matter** SX Jaami / X-Press Resolve / X-Press Manaslu  
**Transaction**  
**Date**

**EE Name**

**Hours**

| Date       | EE Name      | Description   | Hours |
|------------|--------------|---|-------|
| 27/09/2007 | S S Davidson | Call and email to Rajah & Tann. Reviewing papers for sale of Bangla Bodor. Call to Rajah & Tann.  | 0.6   |
| 27/09/2007 | D Janssen    | Emails from SeaCon on action to take in Bangladesh. Discussing and considering costs with Simon Davidson and Rajah & Tann. Email from and telcon with Kendall Tan on recoverable costs and hearing of garnishee proceedings.  | 0.5   |
| 28/09/2007 | D Janssen    | Email from Orr Dignam with Vokatnama forms for owners; Email correspondence with Simon Davidson and Jeffrey Lim on mortgagee's application for judicial sale of Banga Borat; further emails from and telcons with Kendall Tan of Rajah & Tann, email report to SeaCon and RaetsAsia; email from Dr Zahir on appeal documentation and Vokatnama forms; preparing forms for and letter to SeaCon; Email from Kendall Tan on inspection of documents at HRC Singapore and reviewing draft affidavit clarifying notice of sale of Banga Borat, email response to Rajah & Tann; further email correspondence with Rajah & Tann.  | 3.0   |
| 01/10/2007 | D Janssen    | Email from Rajah & Tann with correspondence with HRC Singapore's lawyers Kalpanath & Co; Emails from Dr Zahir and Sea Consortium, reviewing arbitration files and response to Dr Zahir; telcon with and emails from Kendall Tan of Rajah & Tann re postponement of hearings by the court and discovery from HRC Singapore, email report to SeaCon; courier letter with documents and forms from Dr Zahir, reviewing petition for leave to appeal, email response to Dr Zahir, letter to Sea Consortium with blank Vokatnama form; email from and telcon with Tara Davenport of Rajah & Tann regarding intervention in Banga Bodor arrest action; telcon with and email from Kendall Tan of Rajah & Tann on correspondence with HRC Singapore's lawyers and apportionment of recoveries, email response; Email from and to Rajah & Tann re garnishee of OCBC as HRC Singapore's bankers. | 3.0   |
| 02/10/2007 | D Janssen    | Emails from Rajah & Tann re Banga Borat and Banga Bodor. Email response. Email from Dr Zahir and response. Email directions from arbitrator Mark Hamsher. Email report to Sea Consortium and RaetsAsia.   | 0.5   |
| 03/10/2007 | S S Davidson | Reviewing correspondence and discussion with Dirk Janssen.  | 0.4   |

|            |              |   |     |
|------------|--------------|---|-----|
| 03/10/2007 | D Janssen    | Email from Dr Zahir. Email from HFW Paris. Email from Mike Unger of Freehill's. Discussing and considering matter with Simon Davidson. Email response to and email clarification from HFW Paris. Email report on French proceedings to SeaCon and RaetsAsia. Email response to Mike Unger and report on US proceedings to SeaCon and RaetsAsia. Telcons and email correspondence with Kendall Tan of Rajah & Tann in respect of Tan, Oei & Oei acting for HRC. Reviewing advices and commencing work on costs and claims schedules.   | 4.0 |
| 04/10/2007 | S S Davidson | Considering settlement offer and schedules of claims. Two calls to Sea Consortium. Email with advice to clients.  | 0.9 |
| 04/10/2007 | D Janssen    | Preparing costs and claims schedules for settlement negotiations with Tan, Oei & Oei and for formal appropriation notice, telephone conversations and email correspondence with Kendall Tan and Toh Kian Sing of Rajah & Tann; Email to Rajah & Tann with schedules of claims, costs and interests and recoveries; Email from Rajah & Tann with settlement offer from Tan Oei & Oei, discussing and considering matter with Simon Davidson, teleconference with Tristan Howitt.   | 4.4 |
| 05/10/2007 | D Janssen    | Email from Mike Unger of Freehill's re settlement offer. Reviewing response. Perusing further email correspondence. Discussing and considering costs schedules and settlement negotiations with Simon Davidson. Meeting with SeaCon at their offices together with Simon Davidson. Telcons with and emails from Rajah & Tann on arrest and garnishee proceedings. Updating spreadsheets of claims and recoveries. Email response to Rajah & Tann. Briefing Simon Davidson. Reviewing and amending draft reply to Tan Oei & Oei's settlement proposal. Email with comments from Yong Lim Kong. | 2.0 |
| 05/10/2007 | S S Davidson | Meeting with clients. Call to Rajah & Tann. Drafting settlement proposal. Email to clients.   | 1.2 |
| 08/10/2007 | S S Davidson | Email from and call to Rajah & Tann. Email exchange with clients. Email to arbitrator in London and report to clients.  | 0.9 |
| 09/10/2007 | S S Davidson | Call from Rajah & Tann and reviewing schedules of claims.   | 0.4 |
| 10/10/2007 | S S Davidson | Email from Freehills. Attempted call to them. Discussion with Dirk Janssen. Email from and call to Rajah & Tann. Email to Freehills. Discussion with Dirk Janssen.  | 1.1 |
| 10/10/2007 | D Janssen    | Perusing emails from Rajah & Tann and Freehill Hogan & Mahar. Perusing email correspondence with arbitrator. Discussing and considering matter with Simon Davidson. Telcons with and email information to Freehill Hogan & Mahar. Preparing and reviewing calculations for appropriation of sums recovered from garnishees to claims for interest, costs and damages, preparing schedules for proceedings in Singapore and the US. Telcons with and email instructions to Rajah & Tann. Email correspondence with Jeffrey Lim and Mark Hamsher.   | 4.5 |
| 11/10/2007 | S S Davidson | Two emails from Rajah & Tann. Discussion with Dirk Janssen.   | 0.2 |



|            |              |   |     |
|------------|--------------|---|-----|
| 11/10/2007 | D Janssen    | Email from arbitrator Mark Hamsher with directions. Email report to SeaCon. Reviewing notice of appropriation as sent by Rajah & Tann to Tan Oei & Oei. Discussing and considering matter with Simon Davidson. Email report to SeaCon. Resending scanned copy of fax notice by email to HRC and Tan Oei & Oei. Email report from Rajah & Tann on admiralty action against Banga Bodor. Email correspondence and telcons with Kendall Tan of Rajah & Tann re Banga Borat admiralty action and garnishee proceedings.   | 2.0 |
| 12/10/2007 | S S Davidson | Considering report on hearing. Reviewing position on garnishees. Discussion with Dirk Janssen.  | 0.4 |
| 12/10/2007 | D Janssen    | Perusing email. Considering email advice from Rajah & Tann on further garnishees against HRC Shipping of Singapore and/or their bankers OCBC. Telcon with and email from Kendall Tan reporting on Banga Borat hearing. Briefing Simon Davidson. Preparing interest and appropriation calculations for Rajah & Tann's letter to court. Finalising draft letter with Kendall Tan over the telephone. Email instructions to Rajah & Tann for service. Email report to SeaCon. Email instructions to Freehill, Hogan & Mahar.   | 4.7 |
| 15/10/2007 | D Janssen    | Email from Jeffrey Lim and response re claim for Bangladeshi lawyers' charges.  | 0.2 |
| 16/10/2007 | D Janssen    | Email from Rajah & Tann with draft second garnishee application against HRC Singapore. Reviewing and amending draft affidavit. Email response to R&T, discussing and considering matter with Simon Davidson. Email instructions to Rajah & Tann. Telcons and meeting with Kendall Tan and Yip Wei Yen of Rajah & Tann to execute two affidavits. Telcons with Yong Lim Kong to confirm position. Email from Rajah & Tann with fax from HRC's lawyers Tan Oei & Oei discussing and considering proposal with Simon Davidson and then in teleconference with Toh Kian Sing and Kendall Tan, taking instructions in telcon with Yong Lim Kong. Email confirmation of instructions to Rajah & Tann. Email report to SeaCon. | 4.0 |
| 16/10/2007 | S S Davidson | Reviewing position on garnishee and sale of vessel applications. Discussion with Dirk Janssen. Fax from Tan Oei & Oei. Calls to Rajah & Tann and clients.   | 0.5 |
| 17/10/2007 | S S Davidson | Reviewing HRC Singapore affidavit and documents. Email to Rajah & Tann. Call from Rajah & Tann regarding hearing of application for sale of the Banga Borat. Email to clients on enforcement tactics.   | 1.0 |
| 17/10/2007 | S S Davidson | Exchanges with HFW Paris regarding security for future award.   | 0.4 |
| 17/10/2007 | D Janssen    | Email from Rajah & Tann with HRC Singapore's discovery affidavit, reviewing disclosed documents, discussing and considering issue with Simon Davidson, emails to Rajah & Tann on discovery issues, reviewing discovery order, briefing Simon Davidson; telcon report from Kendall Tan on order for sale of Banga Borat; discussing and considering attachment of US and French funds for further award; email instructions to HFW Paris and email enquiry to Freehill's in New York, reviewing and discussing report to SeaCon with Simon Davidson, perusing email correspondence with Rajah & Tann; email from Kendall Tan with report on Banga Borat hearing.   | 3.0 |
| 18/10/2007 | S S Davidson | Reporting to clients on yesterday's application for sale of Banga Borat.  | 0.2 |



|            |              |   |     |
|------------|--------------|---|-----|
| 18/10/2007 | D Janssen    | Email from Rajah & Tann re Banga Borat. Discussing matter with Simon Davidson. Reviewing report to SeaCon. Telcon and email from Kendall Tan re HRC Singapore discovery. Discussing and considering issues with Simon Davidson. Telcon instructions to Kendall Tan.   | 1.5 |
| 19/10/2007 | D Janssen    | Email from Rajah & Tann re HRC Singapore discovery. Discussing and considering issue with Simon Davidson. Email from Freehill's and response.   | 0.3 |
| 19/10/2007 | S S Davidson | Discussion with Dirk Janssen.   | 0.1 |
| 22/10/2007 | S S Davidson | Two emails from Rajah & Tann. Discussion with Dirk Janssen.   | 0.1 |
| 22/10/2007 | D Janssen    | Emails from Rajah & Tann, considering forwarded fax correspondence with Kalpanath & Co acting for HRC Singapore and application for sale of Banga Bodor by Gurbani & Co acting for bunker supplier, discussing and considering matter with Simon Davidson; Email from Freehill Hogan & Mahar with draft application for further attachment; liaising with Rajah & Tann by email and telcons, reviewing and amending their drafts, giving instructions for correspondence with HRC's lawyers; email reports to SeaCon; email response to Freehill's. | 2.2 |
| 23/10/2007 | D Janssen    | Email from Freehill's with fax from Watson Farley in New York; emails from and telcons with Rajah & Tann to review and finalise affidavit in reply to HRC Singapore's challenge to garnishee proceedings; Series of email responses and instructions to Freehill's, long telcon with Mike Unger of Freehill's.  | 3.0 |
| 24/10/2007 | D Janssen    | Liaising with and attending at Rajah & Tann to swear affidavit; Telcon with Mr Hafizullah of Orr Dignam re case lost by Evergreen against HRC in London, briefing Simon Davidson, email enquiry to Tristan Howitt of SeaCon; Email correspondence with counsel David Lewis re document retention.   | 1.3 |
| 25/10/2007 | D Janssen    | Email from Jeffrey Lim, reviewing response and discussing matter with Simon Davidson, email reminder to arbitrator Mark Hamsher, email report to SeaCon; telcons and email correspondence with Kendall Tan of Rajah & Tann re judicial sale of Banga Bodor, discussing issue with Simon Davidson. Telcon with arbitrator Mark Hamsher together with Simon Davidson.   | 1.2 |
| 25/10/2007 | S S Davidson | Reviewing exchanges with Rajah & Tann. Discussing with Dirk Janssen.  | 0.2 |
| 26/10/2007 | S S Davidson | Call from arbitrator. Email from him. Report to clients.  | 0.4 |
| 26/10/2007 | D Janssen    | Email from Mike Unger of Freehill's. Email report to SeaCon on US proceedings and London arbitration. Email from Mark Hamsher and reviewing report to SeaCon. Telcon and email from Kendall Tan of Rajah & Tann reporting on Banga Bodor hearing. Email report to SeaCon.   | 1.0 |
| 29/10/2007 | D Janssen    | Considering Rajah & Tann's reports on Singapore enforcement proceedings, email information to Freehill & Hogan & Mahar for US enforcement proceedings. Email request to SeaCon for sheriff's deposit for seizure of Banga Bodor. Receiving email confirmation of funding for sheriff from Jeffrey Lim of SeaCon.  | 0.8 |

30/10/2007

D Janssen

Email from Mike Unger of Freehill's; Telcon with and email from Kendall Tan of Rajah & Tann reporting on seizure of Banga Bodor and discovery proceedings against HRC Singapore; reviewing court papers, email correspondence with Rajah & Tann, email report to Sea Consortium; email instructions to Freehill's.

1.6

Total: 58.0

## SUMMARY

|                     |                | Hours Charged | Hourly Rate | Total               |
|---------------------|----------------|---------------|-------------|---------------------|
| Partner             | Simon Davidson | 9.0           | S\$775      | S\$ 6,975.00        |
| Assistant Solicitor | Dirk Janssen   | 48.7          | S\$600      | S\$29,220.00        |
| Total :             |                |               |             | <u>S\$36,195.00</u> |

HFWSP\114269-1

Sea Consortium Pte Ltd  
11 Duxton Hill  
Singapore 089595

Attention: Messrs Tim Hartnoll/Tristan Howitt

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Singapore 049483

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Fax +65 6534 5864

holmans@hfw.com.sg  
www.hfw.com

**TAX INVOICE**  
**GST REG NO: M9-0005261-C**

Date: 30 November 2007  
Our Ref: SSD/10656/22/iy  
Bill No.: S08329

**JAAMI**  
**Period Covered : 31 October to 27 November 2007**

To our professional charges for all advice and assistance given in this matter as set out in the attached breakdown of time spent.

|  |                             |
|--|-----------------------------|
| Our fees :                                   | S\$ 25,695.00               |
| +7% GST                                      | S\$ 1,798.65                |
| Disbursements:                               |                             |
| Holman Fenwick & Willan Paris bill           | S\$ 15,676.94               |
| Telephone, printing and photocopying charges | S\$ 46.75                   |
| +7% GST                                      | <u>S\$ 1,100.66</u>         |
| <b>Total</b>                                 | <b><u>S\$ 44,318.00</u></b> |



**HOLMAN FENWICK & WILLAN**  
HFWSPA120715-1

Direct remittance may be made to The Hong Kong and Shanghai Banking Co. Ltd.  
Collyer Quay Branch, 21 Collyer Quay, #01-01 HSBC Building, Singapore 049320, quoting our bill no.  
Singapore Dollars A/C 141-364083-001 Swift code: HSBCSGSG  
US Dollars A/C 260-258843-178 Swift code: HSBCSGSG  
GBP A/C 260-258843-179 Swift code: HSBCSGSG  
If paying by cheque, please return the attached copy with your payment.  
Please pay net of all bank charges

# Breakdown of Time on a Daily Basis

## HFW Bill No S08329

**Club Ref** NA  
**Our File No** 00010656 / 00000022  
**Client** Sea Consortium Pte Ltd  
**Matter** SX Jaamr / X-Press Resolve / X-Press  
**Transaction**  
**Date**

**EE Name**

**Hours**

| Date       | EE Name      | Description   | Hours |
|------------|--------------|---|-------|
| 31/10/2007 | S S Davidson | Reviewing recent exchanges and discussion with Dirk Janssen.  | 0.3   |
| 31/10/2007 | D M Janssen  | Email from Mike Unger of Freehill's on co-ordinating enforcement steps; Email from Yong Lim Kong of SeaCon re auction of Banga Borat; Telcons with and email from Kendall Tan re garnishing MOL and discovery by HRC Singapore, discussing and considering issues with Simon Davidson, email report to and getting instructions from Tristan Howitt of SeaCon over the telephone, instructing Rajah & Tann over the telephone to issue another garnishee and correspond openly with HRC Singapore's lawyers in preparation for hearing on discovery; Email correspondence with Rajah & Tann and Sea Consortium over mortgage bank of Banga Bodor. | 1.0   |
| 01/11/2007 | D M Janssen  | Email from Rajah & Tann with draft application for further garnishee of MOL, reviewing draft summons and affidavit, email instructions to Rajah & Tann to proceed; emails from and telcons with Kendall Tan of Rajah & Tann in respect of sale of Banga Borat and further garnishee of MOL; reviewing documents forwarded by Kendall Tan; email enquiry about proposed buyer to HFW Dubai; email report to Sea Consortium; further email from and telcon with Kendall Tan about HRC Singapore discovery; telcon with HFW Dubai.   | 1.5   |
| 02/11/2007 | D M Janssen  | Telcons with Kendall Tan of Rajah & Tann re hearing of garnishee proceedings against HRC Singapore; email from Yong Lim Kong of Sea Consortium re proposed buyer from Dubai and response; Email reports from Kendall Tan on hearing of garnishee proceedings against HRC Singapore and further garnishing of MOL Singapore, email reports to Sea Consortium and email response to Rajah & Tann.   | 0.8   |
| 05/11/2007 | S S Davidson | Reviewing various correspondence with Rajah & Tann and affidavit from HRC. Discussion with Dirk Janssen.  | 0.4   |
| 05/11/2007 | D M Janssen  | Email from Jeffrey Lim of Sea Consortium on proposed buyer in Dubai for Banga Borat, email briefing to Rajah & Tann, liaising with HFW Dubai, telcon with and emails from Kendall Tan of Rajah & Tann on arrest and garnishee proceedings, email exchanges with HFW Dubai, briefing Kendall Tan, further telcon and email correspondence with Rajah & Tann, discussing and considering matter with Simon Davidson; email report to Sea Consortium; email from Dr Zahir on Bangladeshi proceedings.  | 1.5   |
| 07/11/2007 | D M Janssen  | mail report from Dr Zahir on adjournment of hearings.   | 0.1   |
| 09/11/2007 | D M Janssen  | Emails from Rajah & Tann on hearing of garnishee of HRC Singapore. Email report to Sea Consortium.  | 0.2   |



|            |              |   |     |
|------------|--------------|---|-----|
| 11/11/2007 | D M Janssen  | Email from Rajah & Tann with draft affidavit to oppose application for private sale of Banga Borat. Email response.   | 0.1 |
| 12/11/2007 | S S Davidson | Reviewing draft affidavit and discussion with Dirk Janssen.   | 0.1 |
| 12/11/2007 | D M Janssen  | Discussing and considering HRC's application for private sale of Banga Borat with Simon Davidson, preparing up to date claims, costs and interest calculation for Rajah & Tann to file with DMJ's affidavit to oppose application, telcons with Yip Wei Yen and Kendall Tan of Rajah & Tann, reviewing and amending draft affidavit, attending at Rajah & Tann's offices for swearing of affidavit; Further telcon with and email from Kendall Tan re fax from HRC Singapore's lawyers on stay of execution, considering response and email instructions to Rajah & Tann.   | 4.5 |
| 13/11/2007 | D M Janssen  | Email report from Dr Zahir on stay of appeal proceedings by HRC against judgment setting aside second arrest order.   | 0.1 |
| 14/11/2007 | S S Davidson | Considering Rajah & Tann report on hearing regarding auction of Banga Borat and second garnishee against MOL.   | 0.2 |
| 14/11/2007 | D M Janssen  | Reviewing and collating correspondence, telcons with Toh Kian Sing and Kendall Tan of Rajah & Tann reporting on Banga Borat hearing, email report to Sea Consortium; email from Rajah & Tann with detailed report on seized vessels and garnished main line operators, further email report to Sea Consortium; discussing and considering matters with Simon Davidson; email instructions to Dr Zahir on HRC's appeal proceedings.  | 1.0 |
| 15/11/2007 | S S Davidson | Call from Tim Hartnoll. Reviewing Rajah & Tann correspondence. Discussion with Dirk Janssen. Discussing Bangladesh law advice with Dirk Janssen and what steps could be taken to prevent further arrest.  | 0.8 |
| 15/11/2007 | D M Janssen  | Emails from Tristan Howitt on CMA funds attached, reviewing notes and reports, email reply setting out the attachments in France and Singapore, emails from Tristan Howitt and Yong Lim Kong on possible further garnishee orders against HRC customers in Singapore, discussing and considering matter with Simon Davidson, email responses with advice and recommendations on garnishees; reviewing Dr Zahir's advices on preventive measures in Bangladesh, briefing Simon Davidson, email seeking further advice on action for declaration from Dr Zahir; email reminder to arbitrator Mark Hamsher and response, email report to Sea Consortium and informing Rajah & Tann; further email correspondence with Kendall Tan of Rajah & Tann. | 2.4 |
| 16/11/2007 | S S Davidson | Email from arbitrator. Preparing undertaking for his fees and advice to clients. Reviewing figures on enforcement and security. Call to Yong.   | 1.1 |

|            |              |   |     |
|------------|--------------|---|-----|
| 16/11/2007 | D M Janssen  | Reviewing undertaking for costs of award and recommendations to Sea Consortium with Simon Davidson, perusing email to arbitrator; Receiving telcon report on auction of Banga Borat from Rajah & Tann, informing Sea Consortium, preparing revised and up to date spreadsheet calculation of outstanding claims, interest, attachments and recoveries, email from Yong Lim Kong enquiring on enforcement of third award against Banga Borat proceeds, email advice to Sea Consortium on financial position and enforcement recommendations; Receiving cheque from Sea Consortium to cover undertaking, email to arbitrator and arranging for HFW London to collect original award; Email from Rajah & Tann with full report on auction sale and progress in garnishee proceedings, further report to Sea Consortium and email response to Rajah & Tann.   | 3.5 |
| 17/11/2007 | S S Davidson | Email from Mark Hamsher. Reviewing the third arbitration award.   | 0.4 |
| 17/11/2007 | D M Janssen  | Receiving and perusing third arbitration award. Liaising with Simon Davidson informing Sea Consortium by email.   | 0.5 |
| 19/11/2007 | S S Davidson | Discussing new award and tactics with Dirk Janssen. Call to Toh Kian Sing of Rajah & Tann.  | 0.4 |
| 19/11/2007 | D M Janssen  | Considering email advice and suggestions by Dr Zahir on preventive action in Bangladesh; Discussing and considering Mr Hamsher's third award with Simon Davidson, email copy of award to Rajah & Tann to prepare enforcement steps.   | 0.5 |
| 20/11/2007 | S S Davidson | Discussion with Dirk Janssen and reviewing advice. Email to Sea Consortium.   | 0.4 |
| 20/11/2007 | D M Janssen  | Discussing advice and suggestions by Dr Zahir on preventive action in Bangladesh with Simon Davidson, email instructions to Dr Zahir to draft interim application for restraining HRC from bringing identical claims, email response from Dr Zahir; Telcon with Yong Lim Kong of Sea Consortium on seizure of Banga Bodor, telcon with and email from Kendall Tan of Rajah & Tann on sheriff's notices in respect of Banga Borat; drafting advice and recommendations on seizure of Banga Bodor in view of likely proceeds from sale of Banga Borat; liaising with Jeffrey Lim of Sea Consortium and Mark Hamsher over payment of costs of award; liaising with Simon Davidson, Toh Kian Sing and Kendall Tan to arrange meeting to discuss various strands of proceedings; email instructions from Yong Lim Kong of Sea Consortium to release Banga Bodor, instructing Rajah & Tann by email and confirmation to Sea Consortium, email acknowledgment of instructions from Rajah & Tann. | 3.7 |
| 21/11/2007 | S S Davidson | Emails from Rajah & Tann and two long calls to them. Discussion with Dirk Janssen.  | 0.7 |
| 21/11/2007 | D M Janssen  | Telcons and email correspondence with Kendall Tan and Toh Kian Sing of Rajah & Tann re sale of Banga Borat, further garnishee proceedings against HRC Singapore, and enforcement of 3rd award; email correspondence with Sea Consortium re Sayeed Chowdhury, email reports from Rajah & Tann and to Sea Consortium on application by HRC to set aside sale of Banga Borat; Discussing and considering matter with Simon Davidson.   | 2.2 |

|            |              |   |     |
|------------|--------------|---|-----|
| 22/11/2007 | D M Janssen  | Telcons and email correspondence with Kendall Tan and Toh Kian Sing of Rajah & Tann re sale of Banga Borat and enforcement of 3rd award, email correspondence with Sea Consortium on application by HRC to set aside sale of Banga Borat; Discussing and considering matter with Simon Davidson; Attending at Rajah & Tann's offices for swearing of affidavit, certification of 3rd award and discussing proceedings with Kendall Tan; briefing Simon Davidson.  | 2.2 |
| 22/11/2007 | S S Davidson | Two calls to Rajah & Tann. Call from Sea Consortium. Discussion with Dirk Janssen.  | 0.3 |
| 23/11/2007 | S S Davidson | Two calls from Rajah & Tann. Report to clients. Email from Rajah & Tann and forward to clients.   | 0.4 |
| 23/11/2007 | D M Janssen  | Emails from Rajah & Tann reporting on hearings, discussing and considering matters with Simon Davidson, reviewing reports and advices; email response to Rajah & Tann on notarial certificates for third award to be enforced in the US and France; considering email from Rajah & Tann with draft application and affidavit in support of recognition and enforcement of third award in Singapore and reply.   | 0.5 |
| 26/11/2007 | S S Davidson | Discussing with Dirk Janssen. Various emails from Rajah & Tann. Letter to Sea Consortium returning cheque. Email from arbitrator.   | 0.4 |
| 26/11/2007 | D M Janssen  | Email from arbitrator Mr Hamsher; email from Tristan Howitt on press reports in Bangladesh; discussing and considering matter with Simon Davidson; Reviewing and amending draft summons and affidavit for enforcement of third award; Emails from Kendall Tan of Rajah & Tann on garnishee proceedings against HRC Singapore and release of Banga Borat; attending at Rajah & Tann's offices for swearing of affidavit, certification of award and to discuss garnishee proceedings against HRC Singapore and putting mortgagee bank to strict proof, receiving sheriff's notices of release of Banga Bodor and completion of sale of Banga Borat, forwarding notices to Sea Consortium.  | 5.5 |
| 27/11/2007 | S S Davidson | Advice to clients on tactical issue relating to third arbitration award. Reviewing HRC Singapore affidavit. Discussion with Dirk Janssen.   | 0.7 |
| 27/11/2007 | D M Janssen  | Email from Mike Unger of Freehills; Reviewing and amending advice and recommendations to Sea Consortium on strategy of enforcement proceedings in Singapore, France and the US for the three awards obtained; Telephone conversations and email correspondence with Kendall Tan on hearing for enforcement of third award and garnishee proceedings against HRC Singapore, briefing Simon Davidson, considering anticipated application for leave to appeal in England, reviewing HRC Singapore's redacted bank statements, discussing and considering matter with Simon Davidson, instructing Rajah & Tann by email and over the telephone, email instructions to Freehill's on US attachments in the light of the sale of the Banga Borat and the issue of the third award. | 2.5 |

Total: 40.9

| SUMMARY             |                |               |             |                     |
|---------------------|----------------|---------------|-------------|---------------------|
|                     |                | Hours Charged | Hourly Rate | Total               |
| Partner             | Simon Davidson | 6.6           | S\$775      | S\$ 5,115.00        |
| Assistant Solicitor | Dirk Janssen   | 34.3          | S\$600      | S\$20,580.00        |
| Total :             |                |               |             | <u>S\$25,695.00</u> |

HFWSP\120718-1



Sea Consortium Pte Ltd  
11 Duxton Hill  
Singapore 089595

3 Church Street  
#19-03  
Singapore 049483

Tel +65 6534 0195  
Fax +65 6534 5864

Attention: Messrs Tim Hartnoll/Tristan Howitt

holmans@hfw.com.sg  
www.hfw.com

**CREDIT NOTE**  
**GST REG NO: M9-0005261-C**

Date: 12 December 2007

Our Ref: SSD/10656/22/iy

Credit Note: S08329X

**JAAMI**

Being credit for Holman Fenwick & Willan Paris's bill 2007 1 1449  
dated 30 November 2007 included in our bill S08329

S\$ 6,386.28

+ 7% GST

S\$ 447.04

**Total**

**S\$ 6,833.32**



**HOLMAN FENWICK & WILLAN**

HFWSP\123342-1

Direct remittance may be made to The Hong Kong and Shanghai Banking Co. Ltd.  
Collyer Quay Branch, 21 Collyer Quay, #01-01 HSBC Building, Singapore 049320, quoting our bill no.  
Singapore Dollars A/C 141-364083-001 Swift code: HSBCSGSG  
US Dollars A/C 260-258843-178 Swift code: HSBCSGSG  
GBP A/C 260-258843-179 Swift code: HSBCSGSG  
If paying by cheque, please return the attached copy with your payment.  
Please pay net of all bank charges

**London Office**

Marlow House, Lloyds Avenue, London EC3N 3AL, United Kingdom. Tel +44 (0)20 7488 2300 Fax +44 (0)20 7481 0316 holmans@hfw.co.uk

**Associated Offices:** Paris Rouen Piraeus Dubai Hong Kong Shanghai Melbourne

The firm is regulated in accordance with applicable law. The firm is a partnership of solicitors and locally registered foreign lawyers. A full list of the Partners is available at the above address.

HFW SINGAPORE  
3 Church Street  
# 19-03  
049483 SINGAPORE  
SINGAPORE

O/Ref : TCJ/SSW/hr 384666

**Invoice N°: 2007 1 1449**  
- 30 November 2007 -

For the attention of Simon Davidson / Dirk Janssen

**SEA CONSORTIUM / HRC SHIPPING**  
**Matter N° 106560028**

**Fees** (*Honoraires*)

To our professional services from 10/07/2007 to 28/11/2007 (see attached detail) € 3 562.50

**Disbursements** (*débours*)  
(See attached detail)

€ 874.30

**TOTAL**

€ 4 436.80

Exempt from VAT – article 259 B Code Général des Impôts  
*Non assujetti à la TVA article 259 B CGI*

**Payment on receipt of invoice**

"Membre d'une association agréée – le règlement des honoraires par chèque est accepté."

Direct remittance may be made to Crédit Agricole (Centre d'Affaires Paris International), 91, rue Lafayette,  
75009 Paris, France

IBAN : FR76 1820 6004 3259 0270 9115 006

SWIFT (BIC) : AGRIFRPP882

The above is the principal place of business, at which a list of partners' names is available

**SEA CONSORTIUM / HRC SHIPPING**

Matter N°: 106560028

**Narrative detail :**

| Initials | Date     | Time | Narrative detail   |
|----------|----------|------|--|
| SSW      | 10/07/07 | 0h20 | telephone conversation with the process server and fax out WFW   |
| SSW      | 18/07/07 | 0h45 | reviewing the submissions  |
| SSW      | 23/07/07 | 2h00 | telephone conversation with the process server and email out ,<br>telephone conversation with the opponents and email out HFW<br>Singapore |
| SSW      | 26/07/07 | 0h15 | email out Dirk Janssen   |
| TCJ      | 06/08/07 | 0h10 | E-mail in Huissier, e-mail out HFW Singapore   |
| TCJ      | 07/08/07 | 0h05 | E-mail in HFW Singapore  |
| SSW      | 27/08/07 | 0h30 | telephone conversation with the opponents, fax out ; reviewing our<br>submissions  |
| SSW      | 24/09/07 | 0h20 | email out HFW HK   |
| SSW      | 25/09/07 | 0h15 | Telephone conversation with the Process server   |
| SSW      | 27/09/07 | 1h15 | various emails with the process server preparing the hearing of 2<br>october 2007  |
| SSW      | 28/09/07 | 1h00 | finalising submissions; conf TCJ, sending submissions to the opponents   |
| TCJ      | 28/09/07 | 0h20 | Perusal submissions, discussing SSW  |
| SSW      | 01/10/07 | 0h15 | fax au Président du TC de Marseille  |
| SSW      | 02/10/07 | 1h00 | fax out HFW Hong Kong  |
| TCJ      | 02/10/07 | 0h10 | Amendment fax out HFW  |
| TCJ      | 03/10/07 | 0h20 | E-mail in + out HFW Singapore  |
| SSW      | 17/10/07 | 0h20 | emails in HFW HONG KONG fax to the process server in Marseille   |
| TCJ      | 17/10/07 | 0h30 | E-mail in + out HFW Singapore  |
| SSW      | 21/11/07 | 0h30 | fax out to the process server and fax out to the bailiff   |
| SSW      | 23/11/07 | 0h30 | researches on the appeal against the enforcement order   |
| TCJ      | 28/11/07 | 0h10 | E-mail in HFW Singapore, perusal, discussing SSW   |

**Hourly rate and billed time by lawyer :**

| Initials     | Lawyer                | Hourly rate | Total time | Total amount |
|--------------|-----------------------|-------------|------------|--------------|
| SSW          | Stéphanie SCHWEITZER  | 300.00 €    | 9h15       | 2 775.00 €   |
| TCJ          | Timothy CLEMENS-JONES | 450.00 €    | 1h45       | 787.50 €     |
| <b>Total</b> |                       |             | 11h00      | 3 562.50 €   |

**Disbursement detail :**

| Date                       | Disbursement detail                                | Amount  |
|----------------------------|--|---------|
| 22/11/07                   | Fees Me Arlaud – Process Server réf 1065010 / 8791 | 874.30€ |
| <b>Total disbursements</b> |  | 874.30€ |